

REMARKS

Summary of the Office Action

In the Office Action, the abstract has been objected to for a minor informality.

Claims 1-4, 7, 11-14 and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,786,030 to *Nafziger*.

Claims 1, 4, 6, 11 and 13-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,303,532 to *Phillips* in view of U.S. Patent No. 6,032,443 to *Aldrich*.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Phillips* and *Aldrich*, in view of U.S. Patent No. 3,923,316 to *Birnbaum*.

Claims 8-10 and 17-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nafziger* in view of U.S. Patent No. 5,960,617 to *Sheldon*.

Summary of the Response to the Office Action

Applicant proposes amending the abstract, canceling claims 4, 6, 8, 14, 15 and 17, amending claims 1, 5, 7, 11, 13, 16, 18 and 19. Accordingly, claims 1-3, 5, 7, 9-13, 16 and 18 are pending for further consideration.

Objection to the Abstract

In the Office Action, the abstract has been objected to for a minor informality.

Applicant proposes amending the abstract as shown above.

Accordingly, Applicant respectfully requests withdrawal of the objection to the abstract.

All Claims are Allowable

In the Office Action, claims 1-4, 7, 11-14 and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,786,030 to *Nafziger*. Claims 1, 4, 6, 11 and 13-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,303,532 to *Phillips* in view of U.S. Patent No. 6,032,443 to *Aldrich*. Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Phillips* and *Aldrich*, in view of U.S. Patent No.

3,923,316 to *Birnbaum*. Claims 8-10 and 17-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Nafziger* in view of U.S. Patent No. 5,960,617 to *Sheldon*. Applicant traverses the rejection of pending claims 1-3, 5, 7, 9-13, 16 and 18 for the following reasons.

With regard to independent claim 1, Applicant respectfully asserts that *Nafziger*, *Phillips*, *Aldrich*, *Birnbaum* and *Sheldon*, viewed either singly or in combination, fail to teach or fairly suggest a trimming system for a user-operated ground vehicle capable of performing mowing and trimming operations, including at least, “a guide wheel mounted to a vehicle frame adjacent said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on a resiliently biased bracket for resiliently deflecting a predetermined distance relative to said trimming unit and the vehicle frame upon contact with the stationary object,” as recited in independent claim 1, as amended.

Support for these features recited in claim 1 can be found at least in paragraphs 10-15 and 26-43 of the originally filed specification, and in Figs. 1-3 of the originally filed drawings. Specifically, as shown in Figs. 1-3, the present invention provides a trimming system 16 for a user-operated ground vehicle 12 capable of performing mowing and trimming operations. The system may include a drive means operatively coupled to a drive system of the vehicle having the trimming system mounted thereon. The system may further include a trimming unit 46 operatively coupled to the drive means for performing edge trimming operations. As clearly illustrated in Fig. 1, a guide wheel 74 may be mounted to a vehicle frame 18 adjacent trimming unit 46 for maintaining at least one trimming wire of the trimming unit at a predetermined distance from a stationary object 76 during performance of edge trimming operations. Guide wheel 74 may be mounted on a resiliently biased bracket 78 (biased by torsion spring 90) for resiliently deflecting a predetermined distance relative to the trimming unit and the vehicle frame upon contact with the stationary object.

With regard to independent claim 1 and dependent claims 4 and 6 (the subject matter of which has now been incorporated in independent claim 1), the Office Action cites *Phillips* as teaching or suggesting the trimming system as recited in the claims.

Phillips, as illustrated in Figs. 1, 6 and 13 thereof, discloses a mowing system onto which a trimmer 34 can be mounted as shown in Fig. 1 for performing edge trimming operations. As

clearly illustrated in Fig. 13 and discussed in Col. 8:55 – Col. 9:6 of *Phillips*, a trimmer guard including hoop 98 is provided and mounted for resiliently deflecting along with vehicle frame 52. Further, as clearly illustrated in Fig. 6 and discussed in Col. 4:56 – Col. 5:5 of *Phillips*, a clamp 110 is provided for clamping around shaft 42 of trimmer 34 such that trimmer 34 is firmly retained in position during the trimming operation.

In distinct contrast to the teachings of *Phillips*, as illustrated in Figs. 1-3 of the present invention and now recited in independent claim 1 as amended, the present invention trimming system includes a guide wheel 74 mounted to vehicle frame 18 adjacent trimming unit 46 for maintaining at least one trimming wire of the trimming unit at a predetermined distance from a stationary object 76 during performance of edge trimming operations. Guide wheel 74 may be mounted on a resiliently biased bracket 78 (biased by torsion spring 90) for resiliently deflecting a predetermined distance relative to the trimming unit and the vehicle frame upon contact with the stationary object.

Thus whereas the *Phillips* mowing system includes a trimmer guard including hoop 98 mounted for resiliently deflecting along with vehicle frame 52 (see Fig. 13 of *Phillips*), for the present invention, guide wheel 74 is mounted to vehicle frame 18 and deflects relative to the frame (see Fig. 1 of the present invention). Thus *Phillips* fails to teach or suggest, “said guide wheel being mounted on a resiliently biased bracket for resiliently deflecting a predetermined distance relative to said trimming unit and the vehicle frame upon contact with the stationary object,” as recited in independent claim 1, as amended.

Further, whereas the *Phillips* mowing system includes a trimmer guard including a clamp 110 provided for clamping around shaft 42 of trimmer 34 such that trimmer 34 is firmly retained in position during the trimming operation (see Fig. 6 of *Phillips*), for the present invention, guide wheel 74 is mounted to vehicle frame 18 adjacent trimming unit 46 (see Fig. 1 of the present invention), so that the present invention guide system operates independently from the trimming system. Thus *Phillips* also fails to teach or suggest, “a guide wheel mounted to a vehicle frame adjacent said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations,” as recited in independent claim 1, as amended.

With regard to the teachings of *Nafziger*, *Aldrich*, *Birnbaum* and *Sheldon*, Applicant respectfully notes that as correctly noted in the Office Action, *Nafziger*, *Aldrich*, *Birnbaum* or *Sheldon* do not teach or suggest the aforementioned features now recited in independent claim 1 (and originally recited in dependent claims 4 and 6) in as much as *Nafziger*, *Aldrich*, *Birnbaum* and *Sheldon* have been cited for disclosing features in the remaining claims as originally presented.

Applicant therefore respectfully asserts that *Nafziger*, *Phillips*, *Aldrich*, *Birnbaum* and *Sheldon*, viewed either singly or in combination, fail to teach or fairly suggest a trimming system for a user-operated ground vehicle capable of performing mowing and trimming operations, including at least, “a guide wheel mounted to a vehicle frame adjacent said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on a resiliently biased bracket for resiliently deflecting a predetermined distance relative to said trimming unit and the vehicle frame upon contact with the stationary object,” as recited in independent claim 1, as amended.

As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. Of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Moreover, as pointed out in M.P.E.P. § 2143.03, “[t]o establish prima facie obviousness of a claimed invention, all the claimed limitations must be taught or suggested by the prior art”. *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). Since these criteria have not been met, Applicant respectfully asserts that the rejections under 35 U.S.C. § 102 (b) and § 103 (a) should be withdrawn because *Nafziger*, *Phillips*, *Aldrich*, *Birnbaum* and *Sheldon* do not teach or suggest each feature of independent claim 1, as amended.

In view of the above arguments, Applicant respectfully requests the rejection of independent claim 1 under 35 U.S.C. § 102 and § 103 be withdrawn. Additionally, claims 2, 3 and 5, which depend from independent claim 1, are allowable at least because their base claim is allowable, as well as for the additional features recited therein.

New Independent claim 7

With regard to new independent claim 7, Applicant respectfully asserts that *Nafziger*, *Phillips*, *Aldrich*, *Birnbaum* and *Sheldon* fail to teach or fairly suggest a trimming system for a user-operated ground vehicle capable of performing mowing and trimming operations, the system including “a guide wheel mounted on a driven axle of said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on the vehicle by a threaded shaft to enable height adjustment of said guide wheel by rotation of said guide wheel relative to said shaft,” as recited in new independent claim 7, as amended.

Support for these features recited in claim 7 can be found at least in paragraphs 10-15 and 26-43 of the originally filed specification, and in Figs. 5-8 of the originally filed drawings. Specifically, as shown in Figs. 5-7, the present invention provides a trimming system 106 for a user-operated ground vehicle 102 capable of performing mowing and trimming operations. The system may include a drive means operatively coupled to a drive system of the vehicle having the trimming system mounted thereon. The system may further include a trimming unit 136 operatively coupled to the drive means for performing edge trimming operations. As clearly illustrated in Fig. 5, a guide wheel 164 may be mounted on a driven axle of the trimming unit for maintaining at least one trimming wire of the trimming unit at a predetermined distance from a stationary object 166 during performance of edge trimming operations. The guide wheel may be mounted on the vehicle by a threaded shaft 172 (see Fig. 8) to enable height adjustment of the guide wheel by rotation of the guide wheel relative to the shaft.

With regard to new independent claim 7 (which includes the subject matter of original independent claim 1 and dependent claim 8), the Office Action cites *Sheldon* as teaching or suggesting the height adjustable guide wheel.

Sheldon, as illustrated in Figs. 2a and 3 and discussed in Col. 3:19-32 thereof, discloses a height adjustment system for which a plurality of spacers 80 (see Fig. 3) may be inserted or removed to adjust the height of blade 11 as needed.

In distinct contrast to the teachings of *Sheldon*, as illustrated in Figs. 5-7 of the present invention and now recited in independent claim 7 as amended, the present invention trimming

system includes guide wheel 164 mounted on the vehicle by a threaded shaft 172 to enable height adjustment of the guide wheel by rotation of the guide wheel relative to the shaft.

Thus whereas the *Sheldon* height adjustment system uses spacers, the present invention height adjustment system uses relative motion of the guide wheel to a threaded shaft for height adjustment. Thus *Sheldon* fails to teach or suggest, “a guide wheel mounted on a driven axle of said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on the vehicle by a threaded shaft to enable height adjustment of said guide wheel by rotation of said guide wheel relative to said shaft,” as recited in independent claim 7, as amended.

With regard to the teachings of *Nafziger*, *Aldrich*, *Birnbaum* and *Phillips*, Applicant respectfully notes that as correctly noted in the Office Action, *Nafziger*, *Aldrich*, *Birnbaum* or *Phillips* do not teach or suggest the aforementioned features now recited in independent claim 7 (and originally recited in claims 1 and 8) in as much as *Nafziger*, *Aldrich*, *Birnbaum* and *Phillips* have been cited for disclosing features in the remaining claims as originally presented.

Applicant therefore respectfully asserts that *Nafziger*, *Phillips*, *Aldrich*, *Birnbaum* and *Sheldon*, viewed either singly or in combination, fail to teach or fairly suggest a trimming system for a user-operated ground vehicle capable of performing mowing and trimming operations, the system including “a guide wheel mounted on a driven axle of said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on the vehicle by a threaded shaft to enable height adjustment of said guide wheel by rotation of said guide wheel relative to said shaft,” as recited in independent claim 7, as amended.

As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. Of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Moreover, as pointed out in M.P.E.P. § 2143.03, “[t]o establish prima facie obviousness of a claimed invention, all the claimed limitations must be taught or suggested by the prior art”. *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). Since these criteria have not been met,

Applicant respectfully asserts that the rejections under 35 U.S.C. § 102 (b) and § 103 (a) should be withdrawn because *Nafziger*, *Phillips*, *Aldrich*, *Birnbaum* and *Sheldon* do not teach or suggest each feature of new independent claim 7, as amended.

In view of the above arguments, Applicant respectfully requests the rejection of new independent claim 7 under 35 U.S.C. § 102 and § 103 be withdrawn. Additionally, claims 9 and 10, which depend from new independent claim 7, are allowable at least because their base claim is allowable, as well as for the additional features recited therein.

Independent claim 11

With regard to independent claim 11, Applicant respectfully asserts that *Nafziger*, *Phillips*, *Aldrich*, *Birnbaum* and *Sheldon* fail to teach or fairly suggest a vehicle for performing mowing and edge trimming operations, the vehicle including, “a mowing system for performing mowing operations; a trimming system for performing edge trimming operations and being operatively coupled to a drive system of said vehicle for at least one of selectively and simultaneously driving said mowing and trimming systems, and a guide wheel mounted to a vehicle frame adjacent said trimming system for maintaining at least one trimming wire of said trimming system at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on a resiliently biased bracket for resiliently deflecting a predetermined distance relative to said trimming system and the vehicle frame upon contact with the stationary object,” as recited in independent claim 11, as amended.

Applicant respectfully asserts that independent claim 11 is allowable for at least the reasons presented above for the allowance of independent claim 1, and the additional features recited therein. In the interest of avoiding redundant arguments, the reasons for allowance of independent claim 11 are not repeated herein. Additionally, claim 12 which depends from independent claim 11, is allowable at least because its base claim is allowable, as well as for the additional features recited therein.

Independent claim 13

With regard to independent claim 13, Applicant respectfully asserts that *Nafziger*, *Phillips*, *Aldrich*, *Birnbaum* and *Sheldon* fail to teach or fairly suggest a mowing and trimming system

including, “a drive unit including at least one drive and driven pulley, said drive pulley being operatively coupled to said driven pulley to at least one of selectively and simultaneously drive a mowing unit for performing mowing operations and a trimming unit for performing edge trimming operations, and a guide wheel mounted to a vehicle frame, having said mowing and trimming system mounted thereon, adjacent said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, said guide wheel being mounted on a resiliently biased bracket for resiliently deflecting a predetermined distance relative to said trimming unit and the vehicle frame upon contact with the stationary object,” as recited in independent claim 13, as amended.

Applicant respectfully asserts that independent claim 13 is allowable for at least the reasons presented above for the allowance of independent claim 1, and the additional features recited therein. In the interest of avoiding redundant arguments, the reasons for allowance of independent claim 13 are not repeated herein.

Independent claim 16

With regard to independent claim 16, Applicant respectfully asserts that *Nafziger, Phillips, Aldrich, Birnbaum* and *Sheldon* fail to teach or fairly suggest a mowing and trimming system including, “a drive unit including at least one drive and driven pulley, said drive pulley being operatively coupled to said driven pulley to at least one of selectively and simultaneously drive a mowing unit for performing mowing operations and a trimming unit for performing edge trimming operations, and a guide wheel mounted on a driven axle of said trimming unit for maintaining at least one trimming wire of said trimming unit at a predetermined distance from a stationary object during performance of said edge trimming operations, wherein said guide wheel being mounted on a vehicle having said mowing and trimming system mounted thereon, said guide wheel being mounted by a threaded shaft to enable height adjustment of said guide wheel by rotation of said guide wheel relative to said shaft,” as recited in independent claim 16, as amended.

Applicant respectfully asserts that independent claim 16 is allowable for at least the reasons presented above for the allowance of independent claim 7, and the additional features

recited therein. In the interest of avoiding redundant arguments, the reasons for allowance of independent claim 16 are not repeated herein. Additionally, claims 18 and 19, which depend from independent claim 16, are allowable at least because their base claim is allowable, as well as for the additional features recited therein.

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

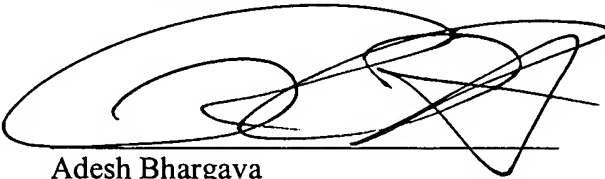
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 04-2223. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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